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(cont)

a rotor having a central hole and a downwardly depending flange at an outer periphery thereof, the rotor supported rotatably relative to the housing by a bearing means, the magnet disposed on an inner peripheral surface of the downwardly depending flange of the rotor; and

a shaft fitted in the central hole of the rotor, wherein the bearing means is a pair of ball bearings, the ball bearings are disposed in the cylindrical projection portion of the housing with a spacer disposed between the bearings and the housing and the rotor are made of a super engineering plastic material and are unitarily formed by injection molding.

REMARKS

Claims 9-23 are pending. By this Amendment, claim 9 is amended.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration since the amendments amplifies issued previously discussed during prosecution; (c) does not present any additional claims; and (d) places the application in better form for appeal should an appeal be necessary. Thus, entry of the Amendment is respectfully requested.

The attached Appendix includes a marked-up copy of the rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Claims 17-23 were withdrawn from consideration because, as alleged, claims 17-23 are directed toward to a distinct species and because the invention has been constructively elected by original presentation for prosecution on the merits.

Applicants first traverse the Examiner's statement that the species are distinct, thus placing an undue burden on the Examiner to examiner both species because the Examiner has yet to set forth grounds as to why undue burden is being placed on the Examiner to review both species.